



COURT OF APPEALS
SECOND DISTRICT OF TEXAS

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December 16, 2013

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RE: Court of Appeals Number: 02-13-00439-CV
 Trial Court Case Number: 2007-0000383M-CV

Style: Wise Electric Cooperative, Inc.
 v.
 American Hat Company

Please disregard this court's letter dated December 13, 2013.

The court has received a copy of the notices of appeal from appellant Wise Electric Cooperative, Inc. and cross-appellant American Hat Company in this case. See R. App. P. 25.1(e).

We have not received docketing statements. See Tex. R. App. P. 32.1. Therefore, the appellant and cross-appellant are directed to file docketing statements no later than **Friday, December 27, 2013**, or as soon as practicable thereafter. If you cannot file a complete docketing statement at that time for good cause, you are directed to send a letter to the clerk explaining your reasons for not timely filing the statement and when you expect to file the statement.

A filing fee of \$195.00 is required by appellant and cross-appellant. See Tex. R. App. P. 5 and Texas Supreme Court Order of August 16, 2013 regarding fees to be charged in civil cases. **If the \$195.00 is not paid by Friday, December 27, 2013, the case is subject to DISMISSAL per Tex. R. App. P. 42.3(c).**

NOTE TO APPELLANT: At or before the time for perfecting the appeal, you must request in writing that the official reporter prepare the reporter's record. The request must designate the exhibits to be included. A request to the court reporter must also designate the portions of the proceedings to be included. You must also file a copy of this request with the trial court clerk. See Tex. R. App. P. 34.6.

NOTE TO COURT REPORTER: You must file the reporter's record in this court within 60 days after the date the judgment is signed; OR 120 days if a timely motion for new trial is filed; OR 10 days after the notice of appeal is filed if this is an accelerated appeal; OR 30 days after the notice of appeal is filed in a restricted appeal. See Tex. R. App. P. 35.1. You should contact the appellant(s) and make arrangements for receiving payment for the record. See Tex. R. App. P. 35.3(b)(3). If you were not the court reporter in this case, or if additional court reporters took testimony in this case, please advise the court in writing immediately.

In addition, please be advised that amended local rules were effective June 1, 2012. Local Rule 6 Reporter's Record states that "Each volume of the reporter's record shall comply with the requisites established by the Texas Rules of Appellate Procedure, the Local Rules for the Second Court of Appeals, and the Uniform Format Manual for Texas Court Reporters. In addition, except by permission of this court for good cause shown, any printed record filed with this court shall contain the record on computer diskette, CD, or DVD form in ASCII format or other computer readable format preapproved by this court. Said diskette, CD, or DVD shall be affixed to the inside of the back cover of the final volume of the printed reporter's record of testimony in such manner as to be secure but easily removable for use." This court's local rules may be found on our website at www.2ndcoa.courts.state.tx.us.

Respectfully yours,

DEBRA SPISAK, CLERK



By: Kent Moore, Deputy Clerk